

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20CV459-GCM

PHILIP BENHAM,

Plaintiff,

vs.

CITY OF CHARLOTTE, NORTH
CAROLINA, and JEFFREY J. JOSEPH,
Individually and in his official capacity
as police officer with
Charlotte-Mecklenburg Police Department,

Defendants.

ORDER

This matter is before the Court upon Plaintiff's Motion for Preliminary Injunction, Defendant Jeffrey Joseph's Motion to Dismiss, and Defendant City of Charlotte's Motion to Dismiss. The Parties entered into a Consent Order on February 12, 2021 with regard to certain issues, however, the Consent Order did not address all pending issues. A hearing was held on these remaining issues on May 11, 2021. For the reasons stated in open Court:

IT IS THEREFORE ORDERED that Defendant Joseph's Motion to Dismiss is hereby GRANTED;

IT IS FURTHER ORDERED that Defendant City of Charlotte's Motion to Dismiss is hereby GRANTED as to the remaining issues; and

IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunction is hereby dismissed as moot as to the remaining issues.

Signed: May 11, 2021



Graham C. Mullen
United States District Judge

